

REMARKS

Claims 1, 3-12, and 14-17 were pending in the Office Action mailed September 20, 2004, hereinafter the "Action". Claims 10-12 and 14-16 are canceled herein without prejudice or disclaimer as Applicant reserves the right to claim the canceled subject matter in a continuing application. Therefore, claims 1, 3-9, and 17 are currently pending in the present application.

Claims 1 and 17 are amended herein to more clearly define the invention. Support for the amendments to claims 1 and 17 can be found in the preambles to claims 1 and 17, respectively, as originally filed. Reconsideration and reexamination of the present application is respectfully requested in view of the amendments to the claims above and the remarks below.

1. Claim Objections

Claims 1, 3-10, and 17 are objected to as allegedly not being clear and consistent with the preamble because "the claims do not recite a step of allowing the primary human leukemia cells to engraft in the mouse to produce an *in vivo* model of human leukemia after step (c) of the claims". Claim 10 is canceled herein. Therefore, the present objection to claim 10 is believed to be moot in view of the cancellation of claim 10 herein. The objection to claims 1, 3-9, and 17 is believed to be moot in view of the amendments to claims 1 and 17.

2. Claim Rejections Under 35 U.S.C. § 102

Claims 10-12 and 14-16 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Yu et al., Proceedings of the

American Association for Cancer Research Annual Meeting March 1999, Vol. 40, page 660, Abstract No. 4352; hereinafter Yu et al. The present rejection is believed to be moot in view of the cancellation of claims 10-12 and 14-16.

CONCLUSION

No new matter has been added by way of the present Amendment. Applicant believes that claims 1, 3-9, and 17 are in condition for allowance and earnestly solicits an early notification of allowance from the Examiner.

The Commissioner is hereby authorized to charge Deposit Account No. 19-0962, should any additional fees be required in this application.

Respectfully submitted,

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Date


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